

Attorney Doc.: 042-05

DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **DEVICE FOR TESTING A NEUTRAL ELECTRODE**, which was filed on March 23, 2005 and given serial number 10/528,841, which is based on International Application No. PCT/AT03/000270, dated September 11, 2003, which in turn is based on Austrian Application No. A 1428/2002, dated September 24, 2002.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 and/or § 371 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
<u>PCT/AT03/000270</u> (Number)	<u>International</u> (Country)	<u>11/09/2003</u> (Day/Month/Year Filed)	<u>XX</u> Yes	<u>  </u> No
<u>A 1428/2002</u> (Number)	<u>Austria</u> (Country)	<u>24/09/2002</u> (Day/Month/Year Filed)	<u>XX</u> Yes	<u>  </u> No

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date

of the application:

_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status) (patent, pending, abandoned)
-----------------------------------	------------------------	---

_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status) (patent, pending, abandoned)
-----------------------------------	------------------------	---

I hereby appoint practitioners associated with the Customer Number 27569 as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the U.S. Patent and Trademark Office connected therewith.

Address all telephone calls to John F. McNulty at (215) 568-4900.

Address all correspondence to John F. McNulty at Paul & Paul, 2900 Two Thousand Market Street, Philadelphia, Pennsylvania 19103.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor  
Norbert Nessler

Inventor signature



Date 2006-01-30

Residence: Botanikerstrasse 16a, 6020 Innsbruck, AUSTRIA ATx

Citizenship: Austrian

Post Office Address: Botanikerstrasse 16a, 6020 Innsbruck, AUSTRIA